

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE VAN  
GAUTENG**

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**PRETORIA**  
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30 NOVEMBER 2017

**No. 324**

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**PROCLAMATION • PROKLAMASIE**

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**PROCLAMATION 177 OF 2017**

In terms of section 49(1) of the Deeds Registries Act, 1937 (Act 47 of 1937), read with section 88(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), I hereby extend the boundaries of Jukskei View Extension 83 Township to include a Part of the Remainder of Portion 1 of the Farm Waterval No. 5 – I.R., subject to the conditions set out in the Schedule hereto.

Given under my Hand at Johannesburg on this 22<sup>nd</sup> day of November Two Thousand and Seventeen.

**ADMINISTRATOR**

**DPLG 11/3/15/B/300**

**SCHEDULE****1. CONDITIONS OF EXTENSION****(1) ENGINEERING SERVICES**

- (a) The erf owner shall make the necessary arrangements with the local authority in regard to the provision of engineering services in terms of section 88(3)(b)(i) of Ordinance 15 of 1986, and
- (b) any upgrading and extension of the water or sewerage networks shall be carried out by the erf owner to the satisfaction of the Council.

**(2) ACCESS**

Access to the erf shall be to the satisfaction of the local authority, provided that any road improvements that are deemed necessary to facilitate access to the site, shall be borne by the applicant

**(3) DISPOSAL OF EXISTING CONDITIONS OF TITLE**

All erven shall be made subject to existing conditions and servitudes, if any, -

**A EXCLUDING the following conditions which do not affect the township by virtue of the location thereof**

- A. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2350.9636 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed No K1293/1963S with Diagram SG No A576/1963 relating thereto, subject to a servitude (indicated by the lines ABCDE and FGHJK on the said diagram), in terms whereof, the right has been granted to the Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions as will more fully appear on reference to said Notarial Deed, and

- a. partially amended by Notarial Deed K3212/1994S in so far as it affects the remaining extent of portion 1 Waterval 5 IR measuring 2249.8888 hectares by the partial cancellation of the servitude in so far as it affects the portion of the property along the lines ABC and DEF on diagram SG No A5428/1991, as will more fully appear from the said deed;
  - b. partially amended by Notarial Deed K4369/2008S so far as it affects the portion 716 (a portion of portion 1) Waterval 5 IR measuring 22.0288 hectares by the partial cancellation of the servitude in respect of the underground electric cables and to grant a new servitude for laying underground electric cables, 6.00 metres wide parallel to and along the entire length of the northern boundary of portion 716, as will more fully appear from the said deed.
  - c. partially amended by Notarial Deed K1004/2009S so far as it affects the portion 716 (a portion of portion 1) Waterval 5 IR measuring 22.0288 hectares by the partial amendment of the servitude to allow for the construction of a water attenuation pond within the underground cable servitude area, the partial cancellation of servitude 5 (five) feet wide either side of the line ABCD and FGHJK on diagram SG No A576/1963 and for the grant of a new servitude 6.00 metres wide parallel to and along the entire length of the northern boundary of portion 716, as will more fully appear from the said deed;
  - d. partially amended by Notarial Deed K6144/2014S so far as it affects Erf 3635 Jukskei View extension 88 township measuring 1.2563 hectares by the partial amendment of the servitude to allow for the construction of a fenced off parking area under the power lines, for use by the lessee of Erf 3635, subject thereto that the parking area a fenced and that no vehicles, structures or buildings higher than 2.5 m from the natural ground-level may be allowed with the servitude area, together with ancillary rights, as will appear more fully from the said deed.
- B. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2253.3189 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed No K55/1973S, subject to a servitude granted to Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions as will more fully appear on reference to said Notarial Deed and diagram annexed thereto. The route of this servitude is indicated by the figure ABCDEFGHA on Diagram SG No A5191/1971.
- C. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2250.6858 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed No K2514/1976S, subject to a servitude granted to Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions as will more fully appear on reference to said Notarial Deed. The Route of this servitude has been determined in respect of the remaining extent of portion 1 Waterval 5 IR measuring 2249.8888 hectares by Notarial Deed of Amendment of Servitude K3475/1981S by the line a B and b D on Diagram SG No A1392/1980 attached thereto.

- D. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2249.8888 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed No K5028/1992S, subject to a servitude in terms whereof the right has been granted to Eskom to convey electricity over the property together with ancillary rights, and subject to conditions as will more fully appear on reference to said Notarial Deed, the centre line of which has been determined by Notarial Deed of Route Description K3213/1994S by the line(s) ABCD and EFGH on diagram S.G No A5427/1991 attached thereto.
- E. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2083.2179 hectares (of which the property hereby transferred forms a part) is
- a. By Virtue of Notarial Deed of Servitude K3366/1997S dated 19 November 1996 with diagram SG No.A7672/1989 relating thereto, subject to a servitude for municipal purposes 3m wide, the route of which is indicated by the line A B C D E F G H J K L M N P Q R S T U V W X Y Z A' B' C' D' E' F' G' H' J' K' L' M' N' P' Q' on diagram SG No A7672/1989, in favour of the Town Council of Midrand as will more full appear from the said Notarial Deed, together with ancillary rights, as amended
    - i. in respect of a portion of the remaining extent of portion 1 measuring 1181.6867 hectares by Notarial Deed of Amendment of Servitude K3271/2013S by the partial cancellation of that portion of the servitude indicated by the centre line A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 on diagram SG No 984/2013 and by the granting of the rerouted servitude along the line A B C D E F G H J K L M N P on diagram SG No 3200/2010 and the line A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1 D1 E1 F1 on diagram SG No 3199/2010 and
    - ii. in respect of a portion of the remaining extent of portion 1 measuring 1128.9618 hectares by Notarial Deed of Amendment of Servitude K470/2014S by the partial cancellation of the servitude along the route indicated by the line A B C D E on diagram SG no 2413/2013 and granting the servitude over that portion of the remaining extent of portion 1 Waterval 5 IR indicated by the centre line A B C D E F G H J on diagram SG No 2408/2013.
  - b. By virtue of Notarial Deed of Servitude No K4398/1999S dated 27th August 1999, subject to a servitude with ancillary rights in favour of Eskom depicted by the figure ABCD on S.G No 6150/1997 as will more fully appear from reference to the said Notarial Deed.
  - c. By virtue of Notarial Deed of servitude K4394/1999S, subject to a sewer servitude line servitude in extent 2021 (two thousand and twenty one) square metres indicated by the figure ABCDEFGHJKL on diagram SG number 12040/1997, together with ancillary rights, in favour of portion 516 (a portion of portion 61) of the farm waterfall number 5, registration division IR, as amended by the partial cancellation thereof in terms of notarial deed of partial cancellation of servitude number K1366/2012S with diagram 3614/2011 attached thereto, and as will more fully appear from the said deed.

- d. By virtue of Notarial Deed of Servitude No K3161/2000S dated 4 May 2000, subject to a perpetual servitude of electric power transmission to convey electricity, together with ancillary rights, in favour of ESKOM indicated by the line ABCD and HJK on S.G No 8801/1998, as will more fully appear from reference to the said Notarial Deed.
- e. By virtue of Notarial Deed of Servitude K3487/2009S subject to a servitude in favour of Eskom Holdings Limited with ancillary rights as will more fully appear from the said deed the area of which servitude has been determined by Notarial Deed of Route Description K2826/2011S by the figure ABCD on diagram SG 4110/2010 annexed thereto.
- f. By virtue of Notarial Deed K300/2009S, subject to a servitude with ancillary rights, in favour of Eskom Holdings Limited a electric power line servitude 31.00 metres wide, the centre line of which is indicated by the line E F G H on diagram SG No 5392/2007, together with a servitude area measuring 6400m<sup>2</sup> indicated by the figure A B C D on diagram SG No 5388/2007, a servitude area measuring 7271m<sup>2</sup> indicated by the figure A B C D E F G H on diagram SG No 3857/2008, and a servitude area measuring 390 m<sup>2</sup> indicated by the figure A B C D on diagram SG No 5392/2007, a right of way indicated by the line A B C D on diagram SG No 5389/2007, a servitude 6.00 metres wide the south western boundary of which is indicated by the line AB on diagram SG No 5390/2007, as will appear more fully from the said deed, and as further amended by
- i. Notarial Deed of Servitude of Amendment K3589/2011S, by the partial cancellation of the servitude in respect of the figure ABCDEFGH on diagram SG No 3857/2008, and the grant of a servitude area measuring 8471m<sup>2</sup> indicated by the figure ABCDEFA on diagram SG No 1435/2011 annexed thereto, as will more fully appear from the said deed; and
  - ii. Notarial Deed of Amendment No. K4187/2012S in respect of the partial cancellation of the servitude in respect of the area indicated by the figure ABCD on Diagram SG No 5388/2007 and the grant of a replacement servitude in respect of the area ABCDA on diagram SG No 5067/2011 annexed thereto, as will more fully appear from the said deed.
- g. By virtue of Notarial Deed of Servitude No. K747/2010S, subject to a sewer servitude, together with ancillary rights, 2.00 metres with in favour of the City of Johannesburg as indicated by the line A B C D E F G H J K L M N P Q R S T U V W on Diagrams SG No. 2212/2008 annexed thereto and as will more fully appear from the said deed.
- h. By virtue of Notarial Deed of Servitude K222/2011S, subject to a sewer servitude 5.00 m wide, together with ancillary rights, in favour of the City of Johannesburg Metropolitan Municipality the centre line of which is indicated by the line ABCDEF on diagram SG No 12350/2004 attached thereto.

- F. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1629.4804 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed of Servitude No K2800/2007S, subject to a Servitude, together with ancillary rights, in favour of the Eskom Holdings Limited as will more fully appear from the said deed, the area of which servitude has been determined by K786/2009S as the figure A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1 D1 E1 F1 G1 H1 J1 K1 L1 M1 N1 P1 Q1 on diagram SG No 628/2008 annexed to the said deed.
- G. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1572.0108 hectares (of which the property hereby transferred forms a part) is
- a. By virtue of Notarial Deed of Servitude K537/2010S the withinmentioned property is subject to a sewer servitude, together with ancillary rights, in favour of the City of Johannesburg as depicted by the line A B C D E F G H J K L M N P Q R S T U V W X Y Z A' B' C' D' E' F' G' H' J' K' L' M' N' P' Q' R' S' T' U' V' W' X' Y' Z' A" B" C" D" E" F" G" H" J" K" L" M" N" P" Q" R" S" T" U" V" W" X" Y" Z" a b c d e f g h j k l m n p q r s t u v w x y z a' b' c' d' e' f' g' h' k' l' m' n' p' q' r' s' t' on Diagram S.G. A6302/1993.
  - b. By Virtue of Notarial Deed of Servitude K1848/2010S, subject to a servitude, together with ancillary rights, in favour of the City of Johannesburg Metropolitan Municipality 2.00 metres wide along the line ABCDEFGHJ for sewer purposes and for storm water pipe line purposes 3.00 metres wide along the lines KLM and LN on diagram SG No 4143/2009 attached thereto.
  - c. By Virtue of Notarial Deed of Servitude K1849/2010S, subject to a right of way servitude, together with ancillary rights, in favour of the City of Johannesburg Metropolitan Municipality in respect of the figure ABCDEFGJA on diagram SG No.1451/2009 and the figure ABCDEFGJKLMNPQRSTUVWXYZA on diagram SG No 2933/2009 attached thereto.
- H. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1457.0601 hectares (of which the property hereby transferred forms a part) is
- a. By virtue of Notarial Deed of Servitude No K3772/2010S, subject to a sewer servitude of varying width, together with ancillary rights, in favour of the City of Johannesburg which is indicated by reference to the line ABCDEFGHJK with varying width as indicated on diagram SG No. 8021/1998 and an area measuring 3687 m<sup>2</sup> indicated by the figure A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1 D1 E1 F1 G1 H1 J1 K1 L1 M1 N1 P1 Q1 R1 S1 T1 U1 V1 W1 X1 A on diagram SG. No 5362/2009 attached thereto and as will more fully appear from the said deed.
  - b. By Virtue of Notarial Deed of Servitude No. K4218/2010S, subject to a 3.00m wide sewer servitude, together with ancillary rights, in favour of the City of Johannesburg as indicated by the line ABCDEFGHJKLMNP on Diagram SG No.3199/2010 and by the line A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1 D1 E1 F1 on diagram SG No 3200/2010 annexed thereto and as will more fully appear from the said deed.

- c. By Virtue of Notarial Deed of Servitude No. K4795/2010S, subject to a 8.00m wide sewer servitude, together with ancillary rights, in favour of the City of Johannesburg the northern boundary of which is indicated by the line LK on Diagram SG No. A4717/1985.
- I. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1363.5549 hectares (of which the property hereby transferred forms a part) is, by virtue of Notarial Deed of Servitude No. K1107/2013S, subject to a substation servitude, together with ancillary rights, in favour of Eskom Holdings SOC Limited as indicated by the figure ABCDA on Diagram SG No 5861/2009 annexed thereto and as will more fully appear from the said deed.
- J. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1318.0994 hectares (of which the property hereby transferred forms a part) is
- a. By virtue of Notarial Deed K3589/2011S subject to a servitude granted in favour of Eskom Holding SOC Limited in respect of that portion of the property measuring 8471m<sup>2</sup> indicated by the figure ABCDEFA on diagram SG 1435/2011 annexed thereto, as will more fully appear from the said notarial deed.
- b. By Virtue of Notarial Deed of Servitude No. K2206/2012S, subject to a right of way servitude, together with ancillary rights, indicated by the figure ABCDA on Diagram SG No 4560/2010 annexed thereto, in favour of the remainder of Portion 2 of the farm Bothasfontein 408 JR as will more fully appear from the said deed.
- c. By Virtue of Notarial Deed No. K3982/2012S, subject to a servitude of right of way and use for parking purposes, together with ancillary rights, in favour of Waterfall Hospital WUQF Proprietary Limited measuring 1656 m<sup>2</sup> indicated by the figure ABCDA on Diagram SG No 14/2011 annexed thereto and as will more fully appear from the said deed.
- K. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1128.9618 hectares (of which the property hereby transferred forms a part) is
- a. By Virtue of Notarial Deed of Servitude No K465/2014S, is subject to a right of way servitude, together with ancillary rights, in favour of Eskom measuring 579 m<sup>2</sup> indicated by the figure ABCDEF on diagram SG no 2411/2013 and measuring 1316 m<sup>2</sup> by the figure ABCDE on diagram SG No 2412/2013 annexed thereto, and as will appear more fully from the said notarial deed.
- b. By Virtue of Notarial Deed of Servitude No K466/2014S, subject to a substation servitude, together with ancillary rights, in favour of Eskom measuring 18 m<sup>2</sup> as indicated by the figure ABCD on diagram SG no 2409/2013 and measuring 18 m<sup>2</sup> by the figure ABCD on diagram SG No 2410/2013 annexed thereto, and as will appear more fully from the said notarial deed.
- c. By Virtue of Notarial Deed of Servitude No K467/2014S, subject to a servitude, together with ancillary rights, in favour of the City of Johannesburg, stormwater purposes 3.00 m wide the centre line is indicated by the line ABCD on diagram SG No 3659/2013 and a sewer pipeline 2.50 m wide the centre line of which is indicated by the line AB on diagram SG No 3658/2013 and as will appear more fully from the said notarial deed.



- d. By Virtue of Notarial Deed of Servitude No K468/2014S, subject to a servitude area measuring 2.2520 hectares, together with ancillary rights, in favour of the City of Johannesburg to use the Servitude Area in perpetuity as a roadway for use by the general public, and to convey water and sewerage over the servitude area indicated by the figure ABCDEFGHJKLMNPQRSTA on diagram SG no 4098/2013 annexed thereto, as will appear more fully from the said notarial deed.
- L. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1028.5854 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed of Servitude No K2624/2016S, subject to a substation servitude, together with ancillary rights, in favour of Eskom measuring 18m<sup>2</sup> as indicated by the figure ABCDA on diagram SG no 5862/2009 annexed hereto, and as will appear more fully from the said notarial deed.
- M. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1023.2580 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed of Servitude No K4751/2016S, subject to a right of way servitude, in favour of Portion 796 (a portion of portion 1) of farm Waterval 5 IR, measuring 276 m<sup>2</sup> as indicated by the figure ABCDEA on diagram SG no 4813/2015 annexed thereto, and as will appear more fully from the said notarial deed.
- N. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1000.2888 hectares (of which the property hereby transferred forms a part) is
- a. by virtue of Notarial Deed of Servitude No K1957/2017S, entitled to a right of way servitude over that portion of Erf 3544 Jukskei View Extension 78 township 10.5 metres wide as indicated on General Plan SG no 4102/2013, and as will appear more fully from the said notarial deed.
  - b. by virtue of Notarial Deed of Servitude No K3907/2017S subject to a sewer servitude 3.00 metres wide the centre line of which is indicated by the line ABCDEFGHJKLMNPQRSTUUVW on diagram SG No 13349/1996, together with ancillary rights, in favour of the City of Johannesburg Metropolitan Municipality as will more fully appear from the said notarial deed.
- B. "Due to the nature of the development and the zoning of the properties in the township, all / no erven are to be made subject to the notarial restraint as set out in this servitude.**
- 1 The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1572.0108 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed in Restraint of Free Alienation of Property No K536/2010S (as amended), subject to the condition that the residential properties laid out in townships on the within mentioned Property may not be sold and only leased which leases are subject to the Standard Terms and Conditions set out in Annexure 1 to the said notarial deed and as will more fully appear from the said deed.

C. including the following which affects the erven as mentioned in the township hereunder

Erf 4506 only

The former remaining extent of portion 1 of the farm Waterval measuring 1128.9618 hectares (of which the property hereby transferred forms a part) is by Virtue of Notarial Deed of Servitude No K464/2014S, subject to a servitude to lay fibre optic cable and to erect billboards, together with ancillary rights, in favour of Waterval Investment Company Proprietary Limited Registration Number 2006/001921/07, and as will appear more fully from the said notarial deed.

By Virtue of notarial deed of lease, to be registered, the within mentioned property is subject to a lease for a period of 99 years in favour of Purple Forest Proprietary Limited Registration Number 2014/059602/07, as will more fully appear from the said deed.

**(4) ACCEPTANCE AND DISPOSAL OF STORMWATER**

The erf owner shall arrange for the drainage of the erf to fit in with that of the existing road and storm water infrastructure in the vicinity and for all storm water running off or being diverted from the road to be received and disposed of.

**(5) REMOVAL OF LITTER**

The erf owner shall at its own expense cause all litter within the erf area to be removed to the satisfaction of the local authority, when required by the local authority to do so.

**(6) ENDOWMENT**

A contribution towards the provision of engineering services and an endowment in lieu of parks and open spaces shall be payable in terms of the provisions of the Town Planning and Townships Ordinance, 15 of 1986.

**(7) CONSOLIDATION OF ERF / ERVEN**

Proposed Erf 4505 Jukskei View Extension 83 shall be consolidated with Erf 3600 Jukskei View Extension 83 prior to any development taking place, to the satisfaction of the local authority.

**2. CONDITIONS OF TITLE**

The erf shall be subject to the following conditions imposed by the Administrator in terms of the provisions of the Town-planning and Townships Ordinance, 1986.

**ALL ERVEN**

- (1) The erf is subject to a servitude, 2 m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a pan-handle erf, an additional servitude for municipal purposes 2 m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.
- (2) No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2 m thereof.

- (3) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.
- (4) the applicant shall erect a 3 metre high wall / fence along the common boundaries of the property to the satisfaction of the local authority.
- (5) The erf shall be landscaped and maintained to the satisfaction of the local authority in accordance with an approved Site Development Plan.

**PROKLAMASIE 177 VAN 2017**

Ingevolge artikel 49(1) van die Registrasie van Aktes Wet, 1937 (Wet 47 van 1937), gelees met artikel 88(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), brei ek hiermee die grense van die Dorp Jukskei View Uitbreiding 83 uit deur 'n Gedeelte van die Restant van Gedeelte 1 van die Plaas Waterval No. 5 – I.R. daarin op te neem, onderworpe aan die voorwaardes uiteengesit in die aangehegte Bylae.

Gegee onder my Hand te Johannesburg op hede die 22ste dag van November Twee Duisend en Sewentien.

**ADMINISTRATEUR**

**DPLG 11/3/15/B/300**

**BYLAE****1. VOORWAARDES VAN UITBREIDING****(1) INGENIEURSDIENSTE**

- (a) Die erfeienaar moet die nodige reëlings met die plaaslike bestuur tref in verband met die voorsiening van ingenieursdienste ooreenkomstig artikel 88(3)(b)(i) van Ordonnansie 15 van 1986, en
- (b) enige opgradering en uitbreiding van die water of riool netwerke moet deur die erf eienaar uitgevoer word, tot bevrediging van die plaaslike bestuur.

**(2) TOEGANG**

Toegang tot die erf sal tot die bevrediging van die plaaslike bestuur wees, met dien verstande dat enige pad verbeterings wat nodig geag word om toegang tot die erf te fasiliteer, deur die applikant uitgevoer sal word.

**(3) BESKIKKING OOR BESTAANDE TITEL VOORWAARDES**

Alle erwe sal onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige.

**A UITSLUITEND die volgende voorwaardes wat nie die dorp raak nie, by wyse van hulle ligging daartoe**

- O. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2350.9636 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed No K1293/1963S with Diagram SG No A576/1963 relating thereto, subject to a servitude (indicated by the lines ABCDE and FGHJK on the said diagram), in terms whereof, the right has been granted to the Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions as will more fully appear on reference to said Notarial Deed, and

- a. partially amended by Notarial Deed K3212/1994S in so far as it affects the remaining extent of portion 1 Waterval 5 IR measuring 2249.8888 hectares by the partial cancellation of the servitude in so far as it affects the portion of the property along the lines ABC and DEF on diagram SG No A5428/1991, as will more fully appear from the said deed;
  - b. partially amended by Notarial Deed K4369/2008S so far as it affects the portion 716 (a portion of portion 1) Waterval 5 IR measuring 22.0288 hectares by the partial cancellation of the servitude in respect of the underground electric cables and to grant a new servitude for laying underground electric cables, 6.00 metres wide parallel to and along the entire length of the northern boundary of portion 716, as will more fully appear from the said deed.
  - c. partially amended by Notarial Deed K1004/2009S so far as it affects the portion 716 (a portion of portion 1) Waterval 5 IR measuring 22.0288 hectares by the partial amendment of the servitude to allow for the construction of a water attenuation pond within the underground cable servitude area, the partial cancellation of servitude 5 (five) feet wide either side of the line ABCD and FGHJK on diagram SG No A576/1963 and for the grant of a new servitude 6.00 metres wide parallel to and along the entire length of the northern boundary of portion 716, as will more fully appear from the said deed;
  - d. partially amended by Notarial Deed K6144/2014S so far as it affects Erf 3635 Jukskei View extension 88 township measuring 1.2563 hectares by the partial amendment of the servitude to allow for the construction of a fenced off parking area under the power lines, for use by the lessee of Erf 3635, subject thereto that the parking area a fenced and that no vehicles, structures or buildings higher than 2.5 m from the natural ground-level may be allowed with the servitude area, together with ancillary rights, as will appear more fully from the said deed.
- P. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2253.3189 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed No K55/1973S, subject to a servitude granted to Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions as will more fully appear on reference to said Notarial Deed and diagram annexed thereto. The route of this servitude is indicated by the figure ABCDEFGHA on Diagram SG No A5191/1971.
- Q. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2250.6858 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed No K2514/1976S, subject to a servitude granted to Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions as will more fully appear on reference to said Notarial Deed. The Route of this servitude has been determined in respect of the remaining extent of portion 1 Waterval 5 IR measuring 2249.8888 hectares by Notarial Deed of Amendment of Servitude K3475/1981S by the line a B and b D on Diagram SG No A1392/1980 attached thereto.

- R. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2249.8888 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed No K5028/1992S, subject to a servitude in terms whereof the right has been granted to ESKOM to convey electricity over the property together with ancillary rights, and subject to conditions as will more fully appear on reference to said Notarial Deed, the centre line of which has been determined by Notarial Deed of Route Description K3213/1994S by the line(s) ABCD and EFGH on diagram S.G No A5427/1991 attached thereto.
- S. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2083.2179 hectares (of which the property hereby transferred forms a part) is
- a. By Virtue of Notarial Deed of Servitude K3366/1997S dated 19 November 1996 with diagram SG No.A7672/1989 relating thereto, subject to a servitude for municipal purposes 3m wide, the route of which is indicated by the line A B C D E F G H J K L M N P Q R S T U V W X Y Z A' B' C' D' E' F' G' H' J' K' L' M' N' P' Q' on diagram SG No A7672/1989, in favour of the Town Council of Midrand as will more full appear from the said Notarial Deed, together with ancillary rights, as amended
    - i. in respect of a portion of the remaining extent of portion 1 measuring 1181.6867 hectares by Notarial Deed of Amendment of Servitude K3271/2013S by the partial cancellation of that portion of the servitude indicated by the centre line A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 on diagram SG No 984/2013 and by the granting of the rerouted servitude along the line A B C D E F G H J K L M N P on diagram SG No 3200/2010 and the line A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1 D1 E1 F1 on diagram SG No 3199/2010 and
    - ii. in respect of a portion of the remaining extent of portion 1 measuring 1128.9618 hectares by Notarial Deed of Amendment of Servitude K470/2014S by the partial cancellation of the servitude along the route indicated by the line A B C D E on diagram SG no 2413/2013 and granting the servitude over that portion of the remaining extent of portion 1 Waterval 5 IR indicated by the centre line A B C D E F G H J on diagram SG No 2408/2013.
  - b. By virtue of Notarial Deed of Servitude No K4398/1999S dated 27th August 1999, subject to a servitude with ancillary rights in favour of ESKOM depicted by the figure ABCD on S.G No 6150/1997 as will more fully appear from reference to the said Notarial Deed.
  - c. By virtue of Notarial Deed of servitude K4394/1999S, subject to a sewer servitude line servitude in extent 2021 (two thousand and twenty one) square metres indicated by the figure ABCDEFGHJKL on diagram SG number 12040/1997, together with ancillary rights, in favour of portion 516 (a portion of portion 61) of the farm waterfall number 5, registration division IR, as amended by the partial cancellation thereof in terms of notarial deed of partial cancellation of servitude number K1366/2012S with diagram 3614/2011 attached thereto, and as will more fully appear from the said deed.

- d. By virtue of Notarial Deed of Servitude No K3161/2000S dated 4 May 2000, subject to a perpetual servitude of electric power transmission to convey electricity, together with ancillary rights, in favour of ESKOM indicated by the line ABCD and HJK on S.G No 8801/1998, as will more fully appear from reference to the said Notarial Deed.
- e. By virtue of Notarial Deed of Servitude K3487/2009S subject to a servitude in favour of Eskom Holdings Limited with ancillary rights as will more fully appear from the said deed the area of which servitude has been determined by Notarial Deed of Route Description K2826/2011S by the figure ABCD on diagram SG 4110/2010 annexed thereto.
- f. By virtue of Notarial Deed K300/2009S, subject to a servitude with ancillary rights, in favour of Eskom Holdings Limited a electric power line servitude 31.00 metres wide, the centre line of which is indicated by the line E F G H on diagram SG No 5392/2007, together with a servitude area measuring 6400m<sup>2</sup> indicated by the figure A B C D on diagram SG No 5388/2007, a servitude area measuring 7271m<sup>2</sup> indicated by the figure A B C D E F G H on diagram SG No 3857/2008, and a servitude area measuring 390 m<sup>2</sup> indicated by the figure A B C D on diagram SG No 5392/2007, a right of way indicated by the line A B C D on diagram SG No 5389/2007, a servitude 6.00 metres wide the south western boundary of which is indicated by the line AB on diagram SG No 5390/2007, as will appear more fully from the said deed, and as further amended by
- iii. Notarial Deed of Servitude of Amendment K3589/2011S, by the partial cancellation of the servitude in respect of the figure ABCDEFGH on diagram SG No 3857/2008, and the grant of a servitude area measuring 8471m<sup>2</sup> indicated by the figure ABCDEFA on diagram SG No 1435/2011 annexed thereto, as will more fully appear from the said deed; and
  - iv. Notarial Deed of Amendment No. K4187/2012S in respect of the partial cancellation of the servitude in respect of the area indicated by the figure ABCD on Diagram SG No 5388/2007 and the grant of a replacement servitude in respect of the area ABCDA on diagram SG No 5067/2011 annexed thereto, as will more fully appear from the said deed.
- g. By virtue of Notarial Deed of Servitude No. K747/2010S, subject to a sewer servitude, together with ancillary rights, 2.00 metres with in favour of the City of Johannesburg as indicated by the line A B C D E F G H J K L M N P Q R S T U V W on Diagrams SG No. 2212/2008 annexed thereto and as will more fully appear from the said deed.
- h. By virtue of Notarial Deed of Servitude K222/2011S, subject to a sewer servitude 5.00 m wide, together with ancillary rights, in favour of the City of Johannesburg Metropolitan Municipality the centre line of which is indicated by the line ABCDEF on diagram SG No 12350/2004 attached thereto.

- T. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1629.4804 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed of Servitude No K2800/2007S, subject to a Servitude, together with ancillary rights, in favour of the Eskom Holdings Limited as will more fully appear from the said deed, the area of which servitude has been determined by K786/2009S as the figure A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1 D1 E1 F1 G1 H1 J1 K1 L1 M1 N1 P1 Q1 on diagram SG No 628/2008 annexed to the said deed.
- U. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1572.0108 hectares (of which the property hereby transferred forms a part) is
- a. By virtue of Notarial Deed of Servitude K537/2010S the withinmentioned property is subject to a sewer servitude, together with ancillary rights, in favour of the City of Johannesburg as depicted by the line A B C D E F G H J K L M N P Q R S T U V W X Y Z A' B' C' D' E' F' G' H' J' K' L' M' N' P' Q' R' S' T' U' V' W' X' Y' Z' A" B" C" D" E" F" G" H" J" K" L" M" N" P" Q" R" S" T" U" V" W" X" Y" Z" a b c d e f g h j k l m n p q r s t u v w x y z a' b' c' d' e' f' g' h' k' l' m' n' p' q' r' s' t' on Diagram S.G. A6302/1993.
  - b. By Virtue of Notarial Deed of Servitude K1848/2010S, subject to a servitude, together with ancillary rights, in favour of the City of Johannesburg Metropolitan Municipality 2.00 metres wide along the line ABCDEFGHJ for sewer purposes and for storm water pipe line purposes 3.00 metres wide along the lines KLM and LN on diagram SG No 4143/2009 attached thereto.
  - c. By Virtue of Notarial Deed of Servitude K1849/2010S, subject to a right of way servitude, together with ancillary rights, in favour of the City of Johannesburg Metropolitan Municipality in respect of the figure ABCDEFGJA on diagram SG No.1451/2009 and the figure ABCDEFGJKLMNPQRSTUVWXYZA on diagram SG No 2933/2009 attached thereto.
- V. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1457.0601 hectares (of which the property hereby transferred forms a part) is
- a. By virtue of Notarial Deed of Servitude No K3772/2010S, subject to a sewer servitude of varying width, together with ancillary rights, in favour of the City of Johannesburg which is indicated by reference to the line ABCDEFGHJK with varying width as indicated on diagram SG No. 8021/1998 and an area measuring 3687 m<sup>2</sup> indicated by the figure A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1 D1 E1 F1 G1 H1 J1 K1 L1 M1 N1 P1 Q1 R1 S1 T1 U1 V1 W1 X1 A on diagram SG. No 5362/2009 attached thereto and as will more fully appear from the said deed.
  - b. By Virtue of Notarial Deed of Servitude No. K4218/2010S, subject to a 3.00m wide sewer servitude, together with ancillary rights, in favour of the City of Johannesburg as indicated by the line ABCDEFGHJKLMNP on Diagram SG No.3199/2010 and by the line A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1 D1 E1 F1 on diagram SG No 3200/2010 annexed thereto and as will more fully appear from the said deed.



- c. By Virtue of Notarial Deed of Servitude No. K4795/2010S, subject to a 8.00m wide sewer servitude, together with ancillary rights, in favour of the City of Johannesburg the northern boundary of which is indicated by the line LK on Diagram SG No. A4717/1985.
- W. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1363.5549 hectares (of which the property hereby transferred forms a part) is, by virtue of Notarial Deed of Servitude No. K1107/2013S, subject to a substation servitude, together with ancillary rights, in favour of Eskom Holdings SOC Limited as indicated by the figure ABCDA on Diagram SG No 5861/2009 annexed thereto and as will more fully appear from the said deed.
- X. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1318.0994 hectares (of which the property hereby transferred forms a part) is
- a. By virtue of Notarial Deed K3589/2011S subject to a servitude granted in favour of Eskom Holding SOC Limited in respect of that portion of the property measuring 8471m<sup>2</sup> indicated by the figure ABCDEFA on diagram SG 1435/2011 annexed thereto, as will more fully appear from the said notarial deed.
- b. By Virtue of Notarial Deed of Servitude No. K2206/2012S, subject to a right of way servitude, together with ancillary rights, indicated by the figure ABCDA on Diagram SG No 4560/2010 annexed thereto, in favour of the remainder of Portion 2 of the farm Bothasfontein 408 JR as will more fully appear from the said deed.
- c. By Virtue of Notarial Deed No. K3982/2012S, subject to a servitude of right of way and use for parking purposes, together with ancillary rights, in favour of Waterfall Hospital WUQF Proprietary Limited measuring 1656 m<sup>2</sup> indicated by the figure ABCDA on Diagram SG No 14/2011 annexed thereto and as will more fully appear from the said deed.
- Y. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1128.9618 hectares (of which the property hereby transferred forms a part) is
- a. By Virtue of Notarial Deed of Servitude No K465/2014S, is subject to a right of way servitude, together with ancillary rights, in favour of Eskom measuring 579 m<sup>2</sup> indicated by the figure ABCDEF on diagram SG no 2411/2013 and measuring 1316 m<sup>2</sup> by the figure ABCDE on diagram SG No 2412/2013 annexed thereto, and as will appear more fully from the said notarial deed.
- b. By Virtue of Notarial Deed of Servitude No K466/2014S, subject to a substation servitude, together with ancillary rights, in favour of Eskom measuring 18 m<sup>2</sup> as indicated by the figure ABCD on diagram SG no 2409/2013 and measuring 18 m<sup>2</sup> by the figure ABCD on diagram SG No 2410/2013 annexed thereto, and as will appear more fully from the said notarial deed.
- c. By Virtue of Notarial Deed of Servitude No K467/2014S, subject to a servitude, together with ancillary rights, in favour of the City of Johannesburg, stormwater purposes 3.00 m wide the centre line is indicated by the line ABCD on diagram SG No 3659/2013 and a sewer pipeline 2.50 m wide the centre line of which is indicated by the line AB on diagram SG No 3658/2013 and as will appear more fully from the said notarial deed.

- d. By Virtue of Notarial Deed of Servitude No K468/2014S, subject to a servitude area measuring 2.2520 hectares, together with ancillary rights, in favour of the City of Johannesburg to use the Servitude Area in perpetuity as a roadway for use by the general public, and to convey water and sewerage over the servitude area indicated by the figure ABCDEFGHJKLMNPQRSTA on diagram SG no 4098/2013 annexed thereto, as will appear more fully from the said notarial deed.
- Z. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1028.5854 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed of Servitude No K2624/2016S, subject to a substation servitude, together with ancillary rights, in favour of Eskom measuring 18m<sup>2</sup> as indicated by the figure ABCDA on diagram SG no 5862/2009 annexed hereto, and as will appear more fully from the said notarial deed.
- AA. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1023.2580 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed of Servitude No K4751/2016S, subject to a right of way servitude, in favour of Portion 796 (a portion of portion 1) of farm Waterval 5 IR, measuring 276 m<sup>2</sup> as indicated by the figure ABCDEA on diagram SG no 4813/2015 annexed thereto, and as will appear more fully from the said notarial deed.
- BB. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1000.2888 hectares (of which the property hereby transferred forms a part) is
- a. by virtue of Notarial Deed of Servitude No K1957/2017S, entitled to a right of way servitude over that portion of Erf 3544 Jukskei View Extension 78 township 10.5 metres wide as indicated on General Plan SG no 4102/2013, and as will appear more fully from the said notarial deed.
- b. by virtue of Notarial Deed of Servitude No K3907/2017S subject to a sewer servitude 3.00 metres wide the centre line of which is indicated by the line ABCDEFGHJKLMNPQRSTUWV on diagram SG No 13349/1996, together with ancillary rights, in favour of the City of Johannesburg Metropolitan Municipality as will more fully appear from the said notarial deed.

**“Due to the nature of the development and the zoning of the properties in the township, all / no erven are to be made subject to the notarial restraint as set out in this servitude.**

The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1572.0108 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed in Restraint of Free Alienation of Property No K536/2010S (as amended), subject to the condition that the residential properties laid out in townships on the within mentioned Property may not be sold and only leased which leases are subject to the Standard Terms and Conditions set out in Annexure 1 to the said notarial deed and as will more fully appear from the said deed.

CC. including the following which affects the erven as mentioned in the township hereunder

Erf 4506 only

The former remaining extent of portion 1 of the farm Waterval measuring 1128.9618 hectares (of which the property hereby transferred forms a part) is by Virtue of Notarial Deed of Servitude No K464/2014S, subject to a servitude to lay fibre optic cable and to erect billboards, together with ancillary rights, in favour of Waterval Investment Company Proprietary Limited Registration Number 2006/001921/07, and as will appear more fully from the said notarial deed.

By Virtue of notarial deed of lease, to be registered, the within mentioned property is subject to a lease for a period of 99 years in favour of Purple Forest Proprietary Limited Registration Number 2014/059602/07, as will more fully appear from the said deed.

**(4) ONTVANGS EN VERSORGING VAN STORMWATER**

Die efeienaar moet die stormwater dreinerings van die dorp so reël dat dit inpas by dié van die bestaande pad en storm water infrastruktuur en moet die stormwater wat van die pad afloop of afgelei word, ontvang en versorg.

**(5) VERWYDERING VAN ROMMEL**

Die erf eienaar moet op eie koste alle rommel binne die erf area laat verwyder tot bevrediging van die plaaslike owerheid, wanneer die plaaslike owerheid dit versoek

**(6) BEGIFTIGING**

'n Bydrae tot die voorsiening van ingenieursdienste en 'n begiftiging in die plek van parke en oop ruimtes sal betaalbaar wees in terme van die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 15 van 1986.

**(7) KONSOLIDASIE VAN ERF / ERWE**

Voorgestelde Erf 4505 Jukskei View Uitbreiding 83 sal gekonsolideer word met Erf 3600 Jukskei View Uitbreiding 83 alvorens enige ontwikkeling plaasvind, tot die bevrediging van die plaaslike owerheid.

**2. TITELVOORWAARDES**

Die erf is onderworpe aan die volgende voorwaardes opgelê deur die Administrateur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 15 van 1986:

**ALLE ERWE**

- (1) Die erf is onderworpe aan 'n serwituut 2m breed, vir riolerings- en ander munisipale doeleindes, ten gunste van die plaaslike bestuur, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteel erf, 'n addisionele serwituut vir munisipale doeleindes 2m breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike bestuur: Met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.

- (2) Geen gebou of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2m daarvan geplant word nie.
- (3) Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings en ander wat hy volgens goeë dunde noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts is die plaaslike bestuur geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwyderings van sodanige rioolhoofpypleidings en ander werke veroorsaak word.
- (4) Die applikant sal 'n 3 meter hoë heining / muur oprig langs die algemene grense van eiendom, tot bevrediging van die plaaslike owerheid.
- (5) Die erf moet gelandskapeer word tot bevrediging van die Plaaslike Owerheid in ooreenstemming met 'n goedgekeurde Terrein Ontwikkelings Plan.

#### **HALFWAY HOUSE & CLAYVILLE WYSIGINGSKEMA 07-14755**

Die Administrateur verklaar hierby, ingevolge die bepalings van Artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat hy 'n wysigingskema, synde 'n wysiging van Halfway House & Clayville Dorpsbeplanningskema 1976, wat uit dieselfde grond bestaan as dit waarmee die grense van die dorp Jukskei View Extension 83 uitgebrei word, goedgekeur het.

Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Gauteng Provinsiale Regering, Johannesburg, en Stad van Johannesburg Metropolitaanse Munisipaliteit, Johannesburg, en is beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as Halfway House & Clayville Wysigingskema 07-14755

**(DPLG 11/3/15/B/300)**

#### **HALFWAY HOUSE & CALYVILLE AMENDMENT SCHEME 07-14755**

The Administrator hereby, in terms of the provisions of Section 125 of the Town-planning and Townships Ordinance, 1986, declares that he approved an amendment scheme, being an amendment of Halfway House & Clayville Town-planning Scheme 1976, comprising the same land as that with which the boundaries of Jukskei View Extension 83 Township are being extended.

Map 3 and the scheme clauses of the amendment scheme are filed with the Gauteng Provincial Government, Johannesburg, and City of Johannesburg Metropolitan Municipality, Johannesburg, and are open for inspection at all reasonable times

The amendment is known as Halfway House & Clayville Amendment Scheme 07-14755

**(DPLG 11/3/15/B/300)**







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